

TRIBUTE TO ED WEINSTEIN

HON. E. CLAY SHAW, JR.

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1998

Mr. SHAW. Mr. Speaker, in just a few months, the accounting profession will bid farewell to one of its illustrious members. Ed Weinstein epitomizes what CPAs stand for: honesty, integrity, and forthrightness in all matters. Ed majored in accounting at Columbia University and earned his MBA from the Wharton School. He then joined Touche Ross and Co., and is currently a senior partner in the Deloitte & Touche firm. He has spent most of his professional career in New York and Pennsylvania, and during part of that time he managed the firm's Philadelphia office.

But Ed has done more than serve his clients; he serves his community and gives selflessly of his time and talents to many worthy and deserving causes. He is currently involved in the New York City Police Foundation, the Cooper-Hewitt National Museum of Design, and the New York City Public/Private Initiatives Commission. He is a Public Member of the New York City Rent Guidelines Board and is actively involved in Operation Exodus, the United Israel Appeal.

Fittingly, Ed has been acknowledged by his peers for his professional and civic activities. The New York Society of CPAs awarded Ed "The Arthur J. Dixon Public Service Award" and he received the New York City Police Department's Certificate of Commendation of 1994.

As a fellow CPA, I know the accounting profession will surely miss him, but I also know that Ed intends to continue many of the important community activities in which he is currently involved.

On behalf of my colleagues, I extend to Ed and his wonderful wife, Sandra, our very best wishes for a long and well-deserved retirement.

INTRODUCTION OF THE TRADE-MARK ANTI-COUNTERFEITING ACT OF 1998

HON. BOB GOODLATTE

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1998

Mr. GOODLATTE. Mr. Speaker, I rise today to introduce the Trademark Anticounterfeiting Act of 1998. This important legislation will provide law enforcement the tools they need to combat the growing crime of altering or removing product identification codes from goods and packaging. This bill will also provide manufacturers and consumers with civil and criminal remedies to fight those counterfeiters and illicit distributors of goods with altered or removed product codes. Finally, this bill will protect consumers from the possible health risks that so often accompany tampered goods.

Most of us think of UPC codes when we think of product identification codes—that block of black lines and numbers on the backs of cans and other containers. However, product ID codes are much more than simple UPC codes. Product ID codes can include various

combinations of letters, symbols, marks or dates that allow manufacturers to "fingerprint" each product with vital production data, including the batch number, the date and place of manufacture, and the expiration date. These codes also enable manufacturers to trace the date and destination of shipments, if needed.

Product codes play a critical role in the regulation of goods and services. For example, when problems arise over drugs or medical devices regulated by the Food and Drug Administration, the product codes play a vital role in conducting successful recalls. Similarly, the Consumer Product Safety Commission and other regulators rely on product codes to conduct recalls of automobiles, dangerous toys and other items that pose safety hazards.

Product codes are frequently used by law enforcement to conduct criminal investigations as well. These codes have been used to pinpoint the location and sometimes the identity of criminals. Recently, product codes aided in the investigation of terrorist acts, including the bombing of Olympic Park in Atlanta and the bombing of Pan Am Flight 103 over Lockerbie, Scotland.

At the same time, manufacturers have limited weapons to prevent unscrupulous distributors from removing the coding to divert products to unauthorized retailers or place fake codes on counterfeit products. For example, one diverter placed genuine, but outdated, labels of brand-name baby formula on substandard baby formula and resold the product to retailers. Infants who were fed the formula suffered from rashes and seizures.

We cannot take the chance of any baby being harmed by infant formula or any other product that might have been defaced, decoded or otherwise tampered with. FDA enforcement of current law has been vigilant and thorough, but this potentially serious problem must be dealt with even more effectively as counterfeiters and illicit distributors utilize the advanced technologies of the digital age in their crimes.

Manufacturers have attempted, at great expense and with little success, to prevent decoding through new technologies designed to create "invisible" codes, incapable of detection or removal. However, decoders have proven to be equally diligent and sophisticated in their efforts to identify and defeat new coding techniques. We therefore must provide manufacturers with the appropriate legal tools to protect their coding systems in order for them to protect the health and safety of American consumers.

Currently, federal law does not adequately address many of the common methods of decoding products and only applies to a limited category of consumer products, including pharmaceuticals, medical devices and specific foods. Moreover, current law only applies if the decoder exhibits criminal intent to harm the consumer. It does not address the vast majority of decoding cases which are motivated by economic considerations, but may ultimately result in harm to the consumer.

My legislation will provide federal measures which will further discourage tampering and protect the ability of manufacturers to implement successful recalls and trace product when needed. It would prohibit the alteration or removal of product identification codes on goods or packaging for sale in interstate or foreign commerce, including those held in areas where decoding frequently occurs.

The legislation will also prohibit goods that have undergone decoding from entering the country, prohibit the manufacture and distribution of devices primarily used to alter or remove product identification codes, and allow the seizure of decoded goods and decoding devices. It will require offenders to pay monetary damages and litigation costs, and treble damages in the event of repeat violations. The bill will also impose criminal sanctions, including fines and imprisonment for violators who are knowingly engaged in decoding violations.

The bill would not require product codes, prevent decoding by authorized manufacturers, or prohibit decoding by consumers. It is a good approach designed to strengthen the tools of law enforcement, provide greater security for the manufacturers or products, and most importantly, provide consumers with improved safety from tampered or counterfeit goods. I urge my colleagues to join me in supporting passage of this bill, which will go a long way toward closing the final gap in federal law enforcement tools to protect consumers and the products they enjoy.

THE AMERICAN HOMEOWNERSHIP ACT OF 1998

HON. RICK LAZIO

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1998

Mr. LAZIO of New York. Mr. Speaker, today I am proud to introduce with my colleagues the "American Homeownership Act of 1998." For most Americans, the most important financial investment we make in our lives is the purchase of a home. Homeownership creates a sense of community and common good, binding neighbors together. Homeownership is the cornerstone of strong families, prosperous communities and a dynamic nation, and this important legislation is designed to provide all families great opportunities to attain and preserve the American dream of owning their own home.

This Act will reduce barriers to the production of affordable housing, protect our Nation's senior citizens when they obtain reverse mortgages, and enable those who receive federal housing assistance, such as public housing or Section 8 housing, to use these funds in creative ways to achieve homeownership. This bill contains important provisions to assist self-help housing providers, such as Habitat for Humanity, in achieving their goals of helping our poor citizens move into their own homes. The American Homeownership Act provides increased flexibility to State and local governments to leverage federal housing funds, provided through the HOME Program, to attain higher levels of homeownership in their areas through local homeownership initiatives. This bill contains provisions to enhance and improve the manufactured housing industry. Moreover, this legislation seeks to address concerns raised by Native American groups who fear that federal bureaucratic procedures will hinder their efforts to increase homeownership on Indian lands.

BARRIERS TO AFFORDABLE HOUSING

We must eliminate the bureaucratic red tape and excessive regulation that stifles homeownership. Unnecessary governmental regulation adds 20 to 35 percent, thousands of dollars, to the cost of a new home according to the National Association of Home Builders.

I am pleased to join with my good friends and colleagues, TOM CAMPBELL, JACK METCALF and JON FOX to incorporate legislation Mr. CAMPBELL has previously introduced to reduce barriers to affordable housing.

The Act requires all Federal agencies to include a housing impact analysis with any proposed regulations to certify such regulations have no significant negative impact on the availability of affordable housing. Local nonprofits and community development groups are given the opportunity to offer alternatives if it is found that the rule would have a deleterious effect on affordable housing.

REVERSE MORTGAGES FOR SENIORS

We must preserve and protect opportunities for senior citizens to remain in their own homes near their families and friends. The American Homeownership Act makes the FHA-insured reverse mortgage program permanent. A reverse mortgage offers sometimes the only tool to for "house-rich", "cash-poor" seniors to remain in their own homes by providing extra income for living and medical expenses or crucial home repairs. We also will require HUD to prohibit financial entities from charging senior extortionate fees when obtaining a reverse mortgage in response to allegations to fraud and abuse within the program last year.

HOMEOWNERSHIP OPTION IN FEDERALLY-ASSISTED HOUSING

The American Homeownership Act of 1998 will allow families receiving rental voucher assistance under the Section 8 program to use those funds in a properly structured homeownership program that would help them buy their own homes. Residents and public housing authorities are authorized to use funds normally used to pay rents for either downpayment assistance or toward mortgage payments.

HOME, HOME LOAN GUARANTEE PROGRAM, HOMEOWNERSHIP ZONES

The most innovative tools for expanding homeownership opportunities are being created at the state and local level. The American Homeownership Act creates a HOME Loan Guarantee program to allow communities to tap into future HOME grants for affordable housing development. HOME is one of the most successful Federal block grant programs, and is designed to create affordable housing for low-income families. The Act also provides grant authority for use in "Homeownership Zones"—designated areas where large scale development projects are designed to reclaim distressed neighborhoods by creating homeownership opportunities for low and moderate income families. Flexibility is also granted in defining metropolitan areas to allow greater homeownership opportunities for suburbs affected by the high home prices of nearby cities.

MANUFACTURED HOUSING

More and more families are living in manufactured homes than ever before. The days of trailer parks filled with metallic shoebox-shaped "homes" are gone. Many of today's manufactured homes are multi-sectioned with

vaulted ceilings and state of the art appliances. They are also very affordable for more than 18 million Americans—\$40,000 to \$70,000 for a new, multi-sectioned manufactured home, compared to \$158,000 for the average new home.

I am pleased to join with my colleagues BOB NEY, KEN CALVERT, DAVID MCINTOSH and others in including legislation we previously introduced to reform and modernize the Federal manufactured housing program.

The American Homeownership Act of 1998 promotes the quality, safety and affordability of manufactured homes by ensuring uniform standards and codes for construction across the country. The legislation improves the Federal management of the program by establishing a consensus committee of consumers, industry experts and government officials to advise HUD on regulation enforcement.

HOUSING ON INDIAN LANDS

I am pleased to join with my colleague Mr. REDMOND of New Mexico to include in this bill an Indian Lands Status Commission which will develop recommended approaches to improving how the Bureau of Indian Affairs conducts title reviews in connection with the sale of Indian lands. Receipt of a certificate from the Bureau of Indian Affairs is a prerequisite to any sales transaction on Indian lands, and the current procedure is overly burdensome and presents a regulatory barrier to increasing homeownership on Indian lands. This Commission is charged with providing Congress with methods to address these concerns.

Mr. Speaker, this homeownership legislation recognizes that the strength of our Nation lies in its individual communities, and that federal government policy should be encouraging and fostering, instead of hindering, the efforts of localities and individuals to achieve the American dream of homeownership.

HONORING REVEREND BRAXTON BURGESS

HON. DALE E. KILDEE

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1998

Mr. KILDEE. Mr. Speaker, it is an honor to rise before you today to recognize the achievements of Reverend Braxton Vincent Burgess of Flint, Michigan. On Saturday, May 30, the congregation of Flint's Quinn Chapel African Methodist Episcopal Church will honor Reverend Burgess for the many contributions he has made to our community.

Reverend Burgess earned his Bachelor of Science degree from Wilberforce University in Ohio and continued his education at Payne Theological Seminary where he received his Master's of Divinity. To continue his mission of peace and social change, he received a diploma in urban ministry from the Urban Training Center of Chicago and served as a member of President Carter's White House Council on Arms Control.

In 1967, Reverend Burgess was ordained as an Itinerant Elder in the African Methodist Episcopal Church. Since that time he has committed his life's work to providing spiritual guidance and counsel to countless individuals. As a member of the Board of Directors of the Urban League of Flint, Past President of the Greater Flint Association of Christian Church-

es, and a member of the Board of Directors of the United Way of Genesee County, Reverend Burgess has been a highly effective leader. His dedication to ensuring that everyone is afforded a quality education is evidenced by his tenure on the Advisory Committee for the Mott Adult High School Continuing Education Program.

Reverend Burgess's tireless service and deeds have earned him recognition from various groups such as the Flint Optimist International, Western Michigan University's Black Studies Department, the State of Michigan House of Representatives, and the Flint Chapter of the NAACP, to name a few.

Mr. Speaker, it is with great pride that I ask my colleagues in the House of Representatives to join me in saluting an inspirational individual, Reverend Braxton Vincent Burgess. He deserves our thanks for a lifelong commitment to making our community a much better place.

TRIBUTE TO HERB AND SHIRLEY CANE

HON. BRAD SHERMAN

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, May 19, 1998

Mr. SHERMAN. Mr. Speaker, I rise today to pay tribute to Herb and Shirley Cane for their devoted efforts to improve the quality of life in our community.

Herb and Shirley have played an instrumental role in leading the Jewish community of the San Fernando Valley. Their continued community activism demonstrates a commitment to the further enhancement of the organization to which they have already dedicated so much valuable time and effort.

Herb Cane's rentless and unselfish dedication to the Jewish community has set the foundation for many growing Jewish youth programs. After his term as the first president of the Kadima Hebrew Academy for two and a half years, Herb headed the committee that would establish Kadima as an independent community school. In addition to this effort, he was also greatly committed to the fiscal stability of the young institution. Herb has served on the advisory and grant selection committee of the Ann Zatz Memorial Fund and the B'nai Brith Youth Organization. This organization has provided yearly scholarships for youth leadership training in Israel.

Shirley has also shown a great commitment to expanding the Jewish community in the San Fernando Valley. She played an integral role in founding the Honor Chapter of B'nai Brith Women in Canoga Park and presided over the Honor Chapter for a period. Shirley is a past president of Kidney Infection Needs Detection (K.I.N.D.) and served on the Cedars-Sinai Liaison Council. In addition to these roles, she has also held executive positions on the board of Congregation Beth Kodesh, the Congregation's Sisterhood and served as President of Friends of Kadima. Shirley is currently serving on Kadima Hebrew Academy's Board of Directors. As a tribute for her hard work, Congregation Beth Kodesh awarded her with the Sisterhood Chayah Olam Award.

Married for thirty-five years, Herb and Shirley are the founders and main supporters of the Stacey Cane Youth Theater, named after